

DEPARTMENT OF SOCIAL SERVICES  
744 P Street, M.S. 19-31  
Sacramento, CA 95814



September 25, 1985

ALL COUNTY LETTER NO. 85-98

TO: All Public and Private Adoption Agencies  
All County Welfare Departments  
All SDSS Adoptions District Offices

SUBJECT: Transracial Adoptions

The Adoptions Branch has received a number of requests for clarification of the Department's policy concerning transracial adoptions. This letter will clarify that current statutes do not prohibit transracial adoptions and that adoption agencies, therefore, cannot have a policy that prohibits transracial adoptions. Civil Code Section 276 states:

"The Department of Social Services may establish regulations which set priorities for the placement of children for adoption which reflect consideration of the racial background, ethnic heritage, religion, cultural heritage of the child and geographic proximity. These priorities shall not be the basis for undue delay in the placement of children, or for the disruption of stable long-term foster care placement. These priorities shall also not be construed as categorically prohibiting placement across lines of race, ethnicity, religion, cultural heritage and geographic proximity".  
(emphasis added)

If an agency is considering more than one family for a child and all factors are equal, selection should be based on the family which most closely reflects the child's racial background, ethnicity and cultural heritage. The agency cannot deny an adoptive placement based solely on the issue of race nor can it unduly delay placing the child in an adoptive placement to further search for a racially matched placement.

Counties having questions regarding this letter should contact their Adult and Family Services Operations consultant at (916) 445-0623 or ATSS 485-0623. Private agencies should contact the Adoptions Public Information and Operations Unit at (916) 322-5973.

  
LOREN D. SUTER  
Deputy Director  
Adult and Family Services Division

cc: CWDA